

## **EXHIBIT 36**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ASHOT EGIAZARYAN,      )
                        )
      Plaintiff,      )   Civ. Action No.
                        )
      -against-      )   11 CIV 2670
                        )   (PKC) (GWG)
PETER ZALMAYEV,      )
                        )
      Defendant.      )
-----X
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Tuesday, March 20, 2012

- - -

Videotape Deposition of RINAT R.

AKHMETSHIN held in the offices of Greenberg  
Traurig, 2101 L Street, Northwest, Washington,  
D.C. 20037 commencing at approximately 10:11 a.m.,  
on the above date, before Cindy L. Sebo,  
Registered Merit Reporter, Certified Real-Time  
Reporter, Certified Shorthand Reporter, Registered  
Professional Reporter, Certified Court Reporter,  
Real-Time Systems Administrator and Notary Public.

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1 A P P E A R A N C E S:

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18 ALSO PRESENT:

19 JONATHAN PERRY, Videographer  
20  
21  
22  
23  
24  
25

1 RINAT R. AKHMETSHIN

2 THE VIDEOGRAPHER: This is  
3 Disc Number 1 of the videotape  
4 deposition of Rinat Akhmetshin taken  
5 in the matter of Ashot Egiazaryan  
6 versus Peter Zalmayev in the U.S.  
7 District Court for the Southern  
8 District of New York, Case  
9 Number 11 CIV 2670 (PKC) (GWG).

10 This deposition is being held  
11 at the offices of Greenberg Traurig,  
12 2101 L Street, Northwest,  
13 Washington, D.C.

14 Today's date is March 20th,  
15 2012.

16 The time on the video screen is  
17 currently 10:11 and 50 seconds a.m.

18 The videographer is  
19 Jonathan Perry. The court reporter  
20 is Cindy Sebo, both here on behalf of  
21 Hudson Reporting & Video.

22 Will counsel present please  
23 introduce themselves and state whom  
24 they represent?

25 MR. COHEN: Good morning. My

1 RINAT R. AKHMETSHIN  
2 name is Jason Cohen. I'm counsel for  
3 Ashot Egiazaryan. I'm here with my  
4 colleague, Jonathan Lupkin.

5 MR. GOLDEN: James Golden  
6 representing Peter Zalmayev.

7 MR. SPERDUTO: Kim Spurduto for  
8 the witness.

9 THE WITNESS: Rinat Akhmetshin,  
10 the witness.

11 THE VIDEOGRAPHER: And will the  
12 reporter swear in the witness,  
13 please?

14 - - -

15 RINAT R. AKHMETSHIN  
16 after having been first duly sworn, was  
17 examined and testified as follows:

18 - - -

19 EXAMINATION

20 - - -

21 BY MR. COHEN:

22 Q. Good morning, Mr. Akhmetshin.

23 A. Good morning.

24 Q. As I mentioned, my name is  
25 Jason Cohen. I'm going to be asking you

1 RINAT R. AKHMETSHIN

2 tried to help me to get an account.

3 He was aware of these difficulties at

4 that firm, and he told me that, you

5 know, I should probably go and help

6 them; they might need some help.

7 BY MR. COHEN:

8 Q. What happened next?

9 A. We met with Mr. Vavilov and his  
10 colleagues.

11 Q. When was that?

12 A. I really, truly don't recall. It  
13 was late '90s. It was before 9/11.

14 Q. How did it come that  
15 Mr. Vavi- -- Vavilov approached you in late  
16 2010 regarding Ashot Egiazaryan?

17 MR. SPERDUTO: I'm sorry. What  
18 was the verb, Jason? I couldn't hear  
19 that.

20 THE WITNESS: I'm sorry.

21 Please repeat.

22 BY MR. COHEN:

23 Q. Yes.

24 How did Mr. Vavilov approach you  
25 in late 2010 regarding Mr. Egiazaryan?

1 RINAT R. AKHMETSHIN

2 A. Mr. Vavilov approached me  
3 regarding Mr. Egiazaryan, I think, before, I  
4 think, 2009.

5 Q. 2009?

6 A. Yes.

7 Q. Did he approach you in person,  
8 by phone or by --

9 A. By phone.

10 Q. What did he say?

11 A. He -- he was very upset because  
12 he -- there was an attempt to kidnap his  
13 daughter in Monaco.

14 Q. And what did he want you to do?

15 A. He asked me to come to Monaco to  
16 talk to him about this matter. His -- and he  
17 and his wife are -- I mean, they're -- I knew  
18 the girl since she was born, and I knew his  
19 wife also quite well. We're friendly.

20 And throughout those years, I  
21 helped him on several different matters. I  
22 worked three, four matters for him.

23 Q. Those were paid matters; is that  
24 correct?

25 A. Correct, yes.

1 RINAT R. AKHMETSHIN

2 Q. He didn't --

3 A. He simply asked me to --

4 MR. SPERDUTO: Wait for a  
5 question.

6 THE WITNESS: Sorry.

7 BY MR. COHEN:

8 Q. What happened next?

9 A. I came down to Monaco, and they  
10 told me the story of this attempted  
11 kidnapping.

12 Q. And what -- what did they ask  
13 you to do?

14 A. They asked my advice, what should  
15 they do.

16 Q. What did you advise them?

17 A. I told them they should really  
18 pursue this matter for legal channels.

19 Q. Did they do so?

20 A. They did so, yes.

21 Q. Did you do any more work on that  
22 related issue -- on that issue?

23 A. By that time, they asked me --  
24 because, you know, Mr. Vavilov had reasons to  
25 believe that Mr. Egiazaryan was behind that



1 RINAT R. AKHMETSHIN

2 attempted kidnapping. So he asked me to look  
3 into Mr. Egiazaryan's -- you know, his  
4 political activities and maybe try to tell  
5 the story about this person in the West.

6 Q. Did you take that assignment?

7 A. I did. It was not exactly an  
8 assignment, but I tried to -- I researched  
9 this Mr. Egiazaryan at that time.

10 Q. Was this still in 2009?

11 A. I think it was 2009, yes. I  
12 searched his activities, his business  
13 activities. At that time, there was a --  
14 there was a matter of some construction which  
15 went bad, and I think that's the matter that  
16 just really didn't go that far to be honest  
17 at that time.

18 Q. How -- how much time did you  
19 spend on that project in 2009?

20 A. Maybe a week.

21 Q. What did you do with your  
22 research?

23 A. Oh, I shared with some -- some  
24 people, some journalists, tried to bring  
25 their attention to the story.

1 RINAT R. AKHMETSHIN

2 with several journalists, is there anything  
3 else that you did with regard to the project  
4 that you were summoned to Monaco for?

5 A. No. I don't remember. It's not  
6 something in particular. It was a small  
7 matter.

8 Q. Then the matter dropped after a  
9 short while --

10 A. I don't think --

11 Q. -- is that correct?

12 A. -- it dropped. I think that, you  
13 know, just -- I think Mr. Vavilov just kind  
14 of didn't want to get involved in this any  
15 further.

16 Q. What was your next involvement  
17 with Mr. Vavilov relating to Mr. Egiazaryan?

18 A. I think sometime, like, around  
19 the new year, like 2011, early 2011, he -- I  
20 think I was in Moscow, and he invited me to  
21 his house. And he told me that  
22 Mr. Egiazaryan is now residing in the  
23 United States, and he was very shocked by  
24 this fact that he -- and that he has now  
25 became a political activist and trying to

1 RINAT R. AKHMETSHIN

2 stay in the United States and get political  
3 asylum. And he was really, I would say,  
4 disgusted by this.

5 Q. Did he ask you to do something?

6 A. He asked me what could be done to  
7 tell the American authorities who -- and  
8 American public, first of all, who  
9 Ashot Egiazaryan is.

10 Q. Did you then continue to work on  
11 this project?

12 A. I discussed this matter with  
13 Mr. Vavilov extensively.

14 Q. And did he -- did you ever enter  
15 into an agreement with him?

16 A. Yes, I was engaged by  
17 Mr. Vavilov.

18 Q. Was there a written engagement  
19 between you and Mr. Vavilov?

20 A. Rarely. Since we know each other  
21 for such a long time, it's -- I don't think  
22 I've ever had a contract with him or anything  
23 to that matter.

24 I might have years ago, but from  
25 now on, it's just kind of he asked me to do

1 RINAT R. AKHMETSHIN

2 something and I did it for him.

3 Q. And what were the terms by which  
4 you agreed to work on a project relating to  
5 Mr. Egiazaryan for him?

6 A. What do you mean "terms"?

7 Q. Were you getting paid?

8 A. I was paid, correct, yes.

9 Q. Did you -- at the time when you  
10 first met, did you agree on an amount?

11 A. You know, he -- he had some cash  
12 around the house, actually. He said that,  
13 you know, just so on, so on and so on. I --  
14 I think he got some -- I don't remember.

15 He -- he -- he said that, you  
16 know, just I got a cash for something,  
17 someone owed him money or something like  
18 that. I don't remember.

19 But I remember there was money  
20 in, like, hundred-dollar bills bags. And,  
21 you know, he said that, you know, just -- I  
22 mean, he said, I would like to -- you to  
23 start this public awareness project in the  
24 United States, and he thought how much -- and  
25 asked me how much would it cost.

1 RINAT R. AKHMETSHIN

2 Q. What did you say?

3 A. I said that, you know, we could  
4 try, you know. I don't know how far it could  
5 go, but, you know, I think that we could try  
6 and maybe start with \$100,000.

7 Q. Did he give you \$100,000 cash  
8 right --

9 A. He did not have --

10 Q. -- then and there?

11 A. -- he did not have \$100,000, but  
12 I think he had something like 70 or something  
13 like that, 70 or 80. I don't remember.

14 Q. Did he give you \$70,000 cash at  
15 that time?

16 A. Cash, correct, yes.

17 I don't remember. 70 or 80,  
18 something like that.

19 Q. Is -- is he a Russian citizen --

20 A. Mr. Vavilov?

21 Q. -- Mr. Vavilov?

22 A. I do believe so, yes.

23 Q. Did you ever register under the  
24 Foreign Agents Registration Act with regard  
25 to this project?

1 RINAT R. AKHMETSHIN

2 A. I did not.

3 Q. Why not?

4 A. Because --

5 MR. SPERDUTO: Objection to the  
6 form.

7 THE WITNESS: Sorry.

8 MR. SPERDUTO: Go ahead.

9 THE WITNESS: -- because it's  
10 not a FARA matter.

11 BY MR. COHEN:

12 Q. Did you have to seek advice of  
13 counsel regarding that?

14 A. I have, yes.

15 Q. Who -- from whom?

16 A. From Baker & Hostetler.

17 May I add something?

18 MR. SPERDUTO: Wait. Hold on.  
19 You can't disclose any communications  
20 between you and your counsel --

21 THE WITNESS: Understood.

22 MR. COHEN: -- so -- so wait  
23 for a question. And when he asks the  
24 next question, you can give your  
25 answer.

1 RINAT R. AKHMETSHIN

2 THE WITNESS: Okay.

3 BY MR. COHEN:

4 Q. Who did you meet with at Baker &  
5 Hostetler? Mr. Cymrot?

6 A. Correct, yes.

7 Can I --

8 (Witness and counsel confer.)

9 THE WITNESS: Okay. This  
10 just -- may -- may -- may I add  
11 something?

12 BY MR. COHEN:

13 Q. If you want to take a short  
14 break, that's fine --

15 A. No, no, no --

16 Q. -- or --

17 A. -- just -- I want to just  
18 assert -- you know, I think that this whole  
19 FARA matter, I -- I've seen this also in the  
20 complaint.

21 The FARA, it's an old law, and  
22 I -- I think -- FARA is this very old law,  
23 and this applies to people who represent  
24 political parties of foreign governments,  
25 which none of this was.

1 RINAT R. AKHMETSHIN

2 Mr. Vavilov is a private citizen,  
3 and he lives in the United States, resident  
4 of the United States and resident of Russia.  
5 So there's absolutely no FARA affiliation.

6 Q. Do you know where Mr. Vavilov  
7 got the cash from?

8 A. I don't know. You should ask  
9 him.

10 Q. Did Mr. Vavilov say whether  
11 there were other individuals or entities who  
12 were participating with him in initiating  
13 this project against Ashot Egiazaryan?

14 MR. SPERDUTO: Objection to the  
15 form.

16 THE WITNESS: Mr. Vavilov hates  
17 your client's guts. You know, he  
18 doesn't need any organizations. He  
19 hates him for --

20 BY MR. COHEN:

21 Q. Did he say --

22 A. -- a dozen years.

23 Q. -- did he say whether he was  
24 cooperating with anybody else?

25 A. I don't think so.



1 RINAT R. AKHMETSHIN

2 Q. Okay. Do -- do --

3 A. -- I did not ever say that.

4 Q. -- did your team and

5 Mr. Kerimov's team have unanimity of

6 purpose?

7 MR. SPERDUTO: Asked and

8 answered.

9 THE WITNESS: I said that we

10 both were focusing on the same

11 individual for different purposes.

12 BY MR. COHEN:

13 Q. And you're focusing on the same

14 result; is that correct?

15 A. That's not correct, sir.

16 Q. What result were you seeking?

17 A. As I mentioned in this

18 previous answers -- as we discussed in the

19 previous my -- of my answers, my issue was

20 the asylum issue. It's something which I was

21 paid for and I was retained for.

22 Their interest was the commercial

23 matter which had -- and, at one point, I

24 realized hindered and overshadowed my issues.

25 So that comparison -- comparing notes or

1 RINAT R. AKHMETSHIN

2 exchange of information has stopped by the  
3 time when we realized that, you know, just  
4 there's nothing else to discuss or compare.

5 Q. Your issue -- was your issue to  
6 have Mr. Egiazaryan deported?

7 A. No. My issue, as my client asked  
8 me to do, to not -- to allow my client not to  
9 see Mr. Egiazaryan in the United States. I  
10 will put it that way.

11 Q. Did you participate in the  
12 securing of letters from Lev Ponomarev and  
13 Lyudmila Alexeyeva?

14 A. I did not. I do not know.

15 Q. Did you play any role in the  
16 drafting of those letters?

17 A. I might have seen some -- I'm not  
18 sure, sir. No, I --

19 Q. Did you --

20 A. -- the answer probably is no. I  
21 do not remember.

22 Q. You don't remember or you did  
23 not?

24 A. I do not remember, sir.

25 Q. Did you play a role in drafting